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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,
11 Plaintiff,
12
13 v.
14 URVANGKUMAR BIPINCHANDRA
KOTHARI,
15 Defendant.

Case No. 2:23-mj-01021-EJY

**STIPULATION TO CONTINUE
BENCH TRIAL**
(Second Request)

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17 IT IS HEREBY STIPULATED AND AGREED, by and Between Jason M. Frierson,
18 United States Attorney, and Melanee Smith, Assistant United States Attorney, counsel for the
19 United States of America, and Rene L. Valladares, Federal Public Defender, and Joy Chen,
20 Assistant Federal Public Defender, counsel for Urvangkumar Bipinchandra Kothari, that the
21 bench trial currently scheduled on May 15, 2024, be vacated and continued to a date and time
22 convenient to the Court, but no sooner than thirty (30) days.

23 This Stipulation is entered into for the following reasons:

- 24 1. The parties are close to reaching a proposed joint resolution in this matter but
25 require an additional 30 days to work out the final details of the agreement.
26 2. The defendant is out of custody and does not oppose the continuance.

1 This is the second request for a continuance of the bench trial.

2 DATED this 13th day of May, 2024.

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4 RENE L. VALLADARES
Federal Public Defender

JASON M. FRIERSON
United States Attorney

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6 By /s/ Joy Chen
7 JOY CHEN
8 Assistant Federal Public Defender

By /s/ Melanee Smith
MELANEE SMITH
Assistant United States Attorney

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

URVANGKUMAR BIPINCHANDRA
KOTHARI,

Defendant.

Case No. 2:23-mj-01021-EJY

FINDINGS OF FACT, CONCLUSIONS
OF LAW AND ORDER

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. The parties are close to reaching a proposed joint resolution in this matter but require an additional 30 days to work out the final details of the agreement.

2. The defendant is out of custody and does not oppose the continuance.

This is the second request for a continuance of the bench trial.

CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for trial, taking into account the exercise of due diligence.

The continuance sought herein is excludable under the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), when the considering the facts under Title 18, United States Code, § 316(h)(7)(B)(iv).

ORDER

IT IS THEREFORE ORDERED that the bench trial currently scheduled on Wednesday, May 15, 2024, at 9:30 a.m., be vacated and continued to July 10, 2024 at the hour of 9:30 a.m. in Courtroom 3D.

DATED this 13th day of May, 2024.


UNITED STATES MAGISTRATE JUDGE